

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE

STEVEN WHEELER, )  
Plaintiffs, )  
v. ) No. 3-07-0198  
RONNIE MORAN, Chief of Police, ) JUDGE HAYNES  
Officially and Individually, )  
Defendant. )

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**MOTION TO ASCERTAIN STATUS BY  
COMMISSIONER OF REVENUE**

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Reagan Farr, Commissioner of Revenue for the State of Tennessee, respectfully moves to ascertain the status of his "Motion to Strike Amended Complaint," which was filed on July 2, 2007 (Docket No. 39). Plaintiff filed this Amended Complaint *after* this Court entered an "Order of Dismissal as to Reagan Farr, Commissioner, Department of Revenue" on May 14, 2007 (Docket No. 32) and after it had denied "Plaintiff's Motion to Reconsider" on May 30, 2007 (Docket No. 36). As a result of these orders, the Commissioner believes himself to be dismissed from the case but filed the Motion to Strike Amended Complaint in order to confirm that Plaintiff's efforts to serve a new Complaint on the Commissioner were truly foreclosed by the May 14 Order of Dismissal.

Because the trial of this matter is set for March 4, 2008, out of an abundance of caution, the Commissioner seeks to ascertain the status of his Motion to Strike in order to confirm that he remains dismissed from this case as a defendant. The Commissioner therefore respectfully seeks guidance as to whether the Court expects that the Commissioner should be prepared to try this matter on March 4, 2008.